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Commission***

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Secretary/Chief Regulatory Law Judge

KEVIN A. THOMPSON
General Counsel

March 2, 2006

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

EX PARTE

Re: CC Docket No. 96-45

Dear Ms. Dortch:

On May 24, 2006, Natelle Dietrich, Regulatory Economist for the Telecommunications Department of the Missouri Public Service Commission (MoPSC), at the direction of certain Commissioners, submitted the attached e-mails to Jeremy Marcus, Acting Chief, and Gina Spade, Assistant Chief, Telecommunications Access Policy Division, requesting information on the receipt and use of universal service funds by FairPoint Communications. On May 25, 2006, Ms. Dietrich spoke with Mr. Marcus about the request and was informed the Enforcement Bureau has not issued any orders against FairPoint Communications related to universal service funding.

Sincerely,

/s/ Nathan Williams
Nathan Williams
Senior Counsel

cc: Jeremy Marcus, Acting Chief, Telecommunications Access Policy Division,
Federal Communications Commission, 445 12th Street, SW, Washington,
DC 20554

E-mail 1:

From: Dietrich, Natelle*
Sent: Wednesday, May 24, 2006 2:00 PM
To: 'Jeremy.Marcus@fcc.gov'
Cc: Dietrich, Natelle*
Subject: Cass County Telephone Company/FairPoint Communications
Importance: High

This morning the Missouri Public Service Commission held an on-the-record presentation to ask questions related to the settlement of the various issues surrounding Cass County Telephone Company and also related to the transfer of assets from Cass County Telephone to FairPoint Communications (including FairPoint Communications Missouri, Inc., d/b/a FairPoint Communications and ST Long Distance, Inc., d/b/a FairPoint Communications Long Distance). FairPoint Communications has operations in several states. Therefore, the Commission asked me to supplement the record this afternoon with a late-filed exhibit addressing FairPoint's past use of universal service funding. More specifically, the Commission asked me to inquire:

1. Have any of the FairPoint entities obtained or used universal service funds inappropriately, fraudulently or inconsistent with 47 USC 254(e) 1996?
2. Has the FCC engaged in any enforcement activities against FairPoint Communications entities related to universal service funding?

Thank you in advance for your assistance.

Natelle Dietrich
Regulatory Economist
Missouri Public Service Commission
573-751-7427
natelle.dietrich@psc.mo.gov

E-mail 2

From: Dietrich, Natelle*
Sent: Thursday, May 25, 2006 8:49 AM
To: 'gina.spade@fcc.gov'
Cc: Dietrich, Natelle*
Subject: FW: Cass County Telephone Company/FairPoint Communications
Importance: High

Gina,
I sent this to Jeremy yesterday and have not heard back. I also left him a voice message. Can you check on the status? The Commissioners were expecting us to file something yesterday afternoon.
Thanks, Natelle

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